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OFFICE OF PETITIONS

In re Application of
Schroeder et al.
Application No. 09/745,676
Attorney Docket No. 00P9111US
Title: METHOD AND APPARATUS FOR
AERIAL IMAGE IMPROVEMENT IN
PROJECTION LITHOGRAPHY USING A
PHASE SHIFTING APERTURE

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 16, 2004, to revive the above-identified application. The petition included *prima facie* evidence in the form of an itemized and date-stamped return postcard receipt that the petition was originally filed in the Office on July 7, 2003. This petition is considered in light of the additional information requested by the Office by letter mailed January 28, 2004, and provided by applicants by correspondence received March 15, 2004.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper response to the Notice to File Missing Parts of Application mailed February 6, 2001. This Notice set a time limit of two (2) months for response, with extensions of time permitted under § 1.136(a). No reply having been received and no extensions of time obtained, the application became abandoned effective April 7, 2001. A Notice of Abandonment was mailed on June 9, 2003.


By letter mailed January 28, 2004, a decision on the petition filed January 16, 2004, was held in abeyance pending applicants' re-submission of the 6 sheets of substitute drawings by mail or hand-delivery. On March 15, 2004, applicants provided those sheets of drawings. In addition, the submission included an adequate explanation as to why applicants took more than the allotted one-month to resubmit the drawings (e.g., there was a delay in receipt of the Office action).

Petitioner has now met all requirements for a grantable petition under § 1.137(b).

Receipt of the change of correspondence address filed March 15, 2004, is acknowledged and made of record.

The application is being returned to the Office of Initial Patent Examination for completion of pre-examination processing, including processing of the declaration and substitute drawings filed January 16, 2004 and March 15, 2004, respectively.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 305-0309.



Nancy Johnson
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Office of Petitions